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THE TABLET.——No. XXXVIII.

'People hazard the loss of their liberties in listening to men, who flatter and compliment the uninformed multitude at the expence of trust-worthy individuals.'

POLITICAL watchmen, more than any other, are apt to imagine they spy out danger, where none exists. This good reason may be assigned for it; they have more to fear from one another, than from the rest of mankind. They raise an out-cry to quell disturbances, which they themselves instigated; and hide their own failings, by making those of other people more conspicuous. The most careless observer of human affairs must have seen, that men will trust their political creeds in the keeping of persons, with whom they would not trust a shilling of property. Nothing is more common than to hear a man condemned as an hypocritical knave in his private dealings, who will yet support some degree of reputation, in party-disputes, among the very persons, who thus reprobate him. If the man, who handles my property, or gives me private advice, is a villain, I can detect him by facts; but he, who directs my public opinions, deals in those unmeaning words which beguile and deceive, while they preclude the possibility of detection. Thus it happens, that almost any man, who can clamor loudly, and catch the magic cant of the day, will not be without adherents. If the well disposed part of the community would use a little reflection, they would quiet themselves of many uneasy apprehensions, and would soon be convinced that a man, who is destitute of knowledge and rectitude in private life, should not gain any solid influence, merely by his petulance and declamation against public affairs.

Every man finds himself more or less the dupe of flattery, but few suspect how often the public at large are seduced by compliments and intrigue. I have seen a large crowd of people thrown into acclamations of joy, at hearing the enchanting sound of MAJESTY OF THE PEOPLE. Each man takes a good share of the compliment to himself, and extols to the skies the worthless fellow who declaims in such fascinating language. Truth and fair dealing have no such captivating effect.

The liberty of speaking and writing is likewise a popular theme to descant upon. It is often a convenient apology for nonsense and falsehood.—This liberty is supposed to be abridged if it requires people to be confined within the rules of decency and common sense. An ignorant bustler, who is checked in his rant and abuse, pretends it is a sufficient plea, that in a free country, every man may speak what he thinks. The bystanders are flattered with such an idea, and take part with a boisterous fool who reminds them of so darling a right.

No privilege is oftener misapplied than that of canvassing public affairs. It is of such a critical nature, that any general restrictions to prevent the misapplication will, in some measure, destroy the principle itself. The evil admits not of a constitutional remedy. There is but one possible cure for it. A race of men may be raised up and educated with such principles of knowledge and virtue, as will make them proof against the seductions of those who flatter the popular ignorance and caprice. To level undistinguishing censure against public proceedings is a very weak, or a very wicked act. It only encreases the discontent and jealousy of the people, without removing any errors or difficulties. Artful men likewise find their account in charging the faults or misfortunes of the times upon the mismanagement of conspicuous individuals. It is a kind of compliment to those who are not included in the charge, and makes them infer that they have no share in the production of the mischiefs complained of. The magic power of flattery is no where so fully demonstrated as in the declamations, which pretended patriots and politicians address to the multitude. More States have been overturned, and more calamitous effects introduced, by persuading the people that they should exalt themselves above their rulers, than have ever happened through the bold, aspiring attacks of ambition and tyranny.

For although the *rights of the whole people* may be more than a balance for the *power of the whole magistracy*, yet this will not sanction the exaltation of any separate portion of the people over the authority of any single magistrate. This kind of adulation therefore, when addressed to particular districts, is not only false but unconstitutional.

MEASURES.

THE measures used in the American states were introduced from England. Acts of the assemblies direct standards of them, to be kept in the counties; which are to be according to the standards in England. Notwithstanding these acts, there are deviations in the measures used in some of the states, and in different parts of the same state, which occasion confusion, dispute, and litigation; and therefore claim the public attention for fixing measures to one uniform standard, for promoting certainty and fair dealings. "*Thou shalt not have in thy bag divers weights, a great and a small. Thou shalt not have in thy house divers measures, a great and a small. But thou shalt have a perfect and just weight, a perfect and a just measure shalt thou have.*" Deut. 15.

Those deviations are short of what are in England; where they have their bushels of 8 and of 9 gallons, &c. and the people always have been in much confusion from their various measures. Their statutes respecting measures originating in rude and ignorant times, laid a foundation for the confusion. At this time their standard of corn measure is according to the statute of the 13 W. 3 ch. 5 §. 28. The laws of the respective states, so far as I am informed, generally require their standard bushel to be according to the English standard; and the statute enacts, that "every bushel 18½ inches wide and 8 inches deep, shall be esteemed a legal Winchester bushel." Such a measure with straight sides and equal diameter at top and bottom, contains 2150 42-100 solid inches. Notwithstanding this regulation, the corn bushel *in common use* in London and generally in the seaports of England, contain about 2178 inches, or above ¾ of a pint more than their standard.

The counties of Maryland have a long while kept brass or bell-metal standards according to the statute of 13 W. 3, as directed by a law enacted in Maryland 1715: And the county courts have usually appointed officers for keeping the standards of weights and measures. It was usual for cautious people to pay the officers for proving and stamping their measures; and the half bushel in common use was agreeable to the statute of Maryland. At length wheat became almost the only staple of the upper part of Maryland. Mills for merchants work in manufacturing flour were introduced, chiefly by those who had learnt the business and had been used to a different [a larger] half bushel for measuring wheat in another state. These bringing in the large measure, contended for the use of it. Bickerings often happened; but the usage of the millers and merchants in the neighbouring state, on whose purses the Maryland farmers were almost solely dependent for the sale of their wheat, prevailed in introducing a larger measure, against the legal one: and at this day it is mostly used, by consent of the buyers and sellers of grain. In one of the counties of Maryland, millers and their connexions insinuated themselves into notice, and were appointed justices of the county court, who by law appoint officers of the standard, and even order new standards; which had great weight in quieting opposition to the new half bushel measure. This was in a part of Maryland where wheat was almost the whole staple article of export, and which was almost an unrivalled marked for wheat on Chesapeak, at that time.

The law of Pennsylvania establishing a standard for corn measure, was enacted the year preceding the enacting of the statute of the 13 W. 3, and therefore referred to prior statutes. The standard obtained by the direction of their law, is still in Philadelphia, unequally and aukwardly made of copper, and contains near 2188 solid inches. It is from this standard that the half bushels in common use in Maryland are proved and stamped at Philadelphia.

Some artifice amongst retailers has introduced measures of a shape that shortens the quantity of gross and large articles, which custom directs to be heaped in measuring. They direct their coopers to make them deep and narrow; by which, although the body of the vessel may hold the legal quantity of anything struck, yet the base on that being small, cannot receive a due proportion in the conic heap of oysters, roots, &c.—In England the *whole* bushel is 8 inches deep, the diameter 18½ inches, which admits of a conic heap one third as much as the cylindrical contents. The Pensylvania *half* bushel is 9 inches deep; which narrows the vessel so as to reduce the conic heap greatly. There ought to be some form and proportion in the parts of the half bushel, fixed by law, as a rule for coopers. In the sketch below, this is aimed at, tho not in proportion to the extraordinary diameter of the Winchester bushel. In this sketch it is also meant to have the contents nearly what they are in common use at present in the wheat states; which happens to accord with the customary bushel of a great commercial country in Europe. The diameters and depth give an easy shape that admits of hoops drawing well—the less tapering, the more forcibly the hoops draw, on the principle of the screw and wedge.

In England, the Winchester statute bushel contains 2150 42-100 inches—Their bushel in mercantile *common* use 2178 inches.

In Maryland and Pennsylvania the commonly used bushel is 2188 inches, the medium whereof, is 2172 inches.—— In place of these is offered, a half bushel (a common and more convenient measure than a bushel) which contains but 5 cubic inches less than the Pennsylvania large measure, near 14 inches more than the Winchester half bushel, and is exactly the same with the English measure used in common, (2178 inches to the bushel) and which being known in the European markets where we shall deal, will therefore give ease and convenience to those strangers when we deal with them, as well as to our merchants.—Gallons may be laid aside respecting bushel measure. The bushel is to contain so many *inches*, and has its parts in pecks, fourths, and eighths of pecks.

The proposed half bushel, as a common measure for the United States is	In.	tenths.
In diameter at top	13	5
Ditto at bottom	12	5
Depth	8	2

Coopers, by the use of stout iron truss-hoops, truly round, can preserve the diameters of their vessels to a pretty near exactness.—Be it then enacted that all half bushels shall be made, near as may be, according to the dimensions above expressed; and that if any are used, as a measure that are more or less than one eighth of those respective diameters or depth, the cooper shall forfeit 10s. if the measure is not more than a year old; and the owner 5l. be the age what it may, for every day in which it is used.—The cooper a small fine (by way of caution) not large, because of variation from time and use: The owner a higher fine, because it behoves him to have true measures. He is to examine and renew his measure as occasion requires, testing it with the standard.

Philosophers, mechanics, &c. have their inch so fixed, so long time recorded, and so often referred to, that the present sized inch can scarcely be departed from: nor can the present foot. These are the two principal measures that make out all others. The perch to be retained. It is used only in one line of business: but an alteration in its length would occasion much arithmetical calculation:—It may stand by itself. So of the yard; let it remain as it now is. Accurate standards are to be procured, and sacredly kept in public depositories. I wished to have divided measures to ascend and descend in tens as federal monies do: But there are hindrances:—The change would be great; and the human heart is to be consulted: Nor would there be so great advantages in this applied to measures as to monies and weights.

What is to be the measure for *liquors?* It may be confined only to wine measure.—There may be the usual *pots* of beer and cyder: but let the *gallon* measure be *one* only; containing 231 inches. Its parts may still be quarts, pints, gills, &c.—In the year 1688, the standard gallon in England, for wine, was found, on trial by the commissioners of excise, to contain but 224 inches.—Instead of 231.—It was however resolved to continue the common supposed contents of 231 inches.—In order to know whether the wine measures imported into America from England, are of a size agreeable to the real or imaginary standard in England, I weighed the contents of a London stampt pewter quart pot, being fair spring water, and found the pot contained one fourth of 234 inches. The excess is imputed to some of the weights used on the occasion, being of lead much worn: but the trial sufficed to assure me, that the wine gallon in use, contains not less than 231 inches.

NEWYORK.

SKETCH OF PROCEEDINGS OF CONGRESS.

In the HOUSE *of* REPRESENTATIVES *of the* UNITED STATES.

MONDAY, AUGUST 17, 1789.

Further sketch of the Debate on Amendments to the Constitution.

In COMMITTEE of the whole HOUSE.

SIXTH AMENDMENT—"A well regulated militia, composed of the body of the people, being the best security of a free state, the right of the people to keep and bear arms shall not be infringed, but no person religiously scrupulous shall be compelled to bear arms."

Mr. BENSON moved that the words "but no person religiously scrupulous shall be compelled to bear arms," be struck out. He wished that this humane provision should be left to the benevolence of the government. It was improper to make it a fundamental in the constitution.

The motion was negatived, and the amendment agreed to.

Mr. BURKE moved to add a clause to the last paragraph to this effect: That *a standing army of regular troops in time of peace is dangerous to public liberty, and should not be supported in time of peace, except by the consent of two thirds of both houses.*

This amendment was negatived

7th Amendment. "No soldier shall in time of peace be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law."

Mr. SEMPTER moved to strike out the words "in time of peace" and also the last words of the paragraph from the word "owner."

Mr. SHERMAN said he thought this was going too far; occasion might arise in which it would be extremely injurious to put it in the power of any man to obstruct the public service: He adverted to the British regulations in this case, of quartering soldiers in public houses. This motion was negatived.

Mr. GERRY said, that he conceived the article might be so altered as to relieve the minds of the citizens of the United States. It is said, government will take care of the rights of the people; but these amendments are designed to prevent the arbitrary exercise of power. He then moved to insert between the words "but" and "in a manner," the words *by a civil magistrate.* Negatived.

The amendment was agreed to.

8th Amendment. "No person shall be subject, except in case of impeachment, to more than one trial for the same offence, nor shall be compelled to be a witness against himself, nor be deprived of life, liberty or property, without due process of law, nor shall private property be taken for public use without just compensation."

Mr. BENSON observed, that it was certainly a fact, that a person might be tried more than once for the same offence: Instances of this kind frequently occured. He therefore moved to strike out the words "one trial or" This was negatived.

Mr. SHERMAN was in favor of the motion.

Mr. LIVERMORE was opposed to it: He said: The clause appears to me essential; if it is struck out, it will hold up the idea that a person may be tried more than once for the same offence. Some instances of this kind have taken place; but they have caused great uneasiness: It is contrary to the usages of law and practice among us; and so it is to those of that country from which we have adopted our laws. I hope the clause will not be struck out.

Mr. PARTRIDGE moved to insert after the words "same offence," the words *by any law of the United States,*" Negatived.

Mr. LAURANCE moved to insert after the words "nor shall" these words *in any criminal case.* This amendment was agreed to.

9th Amendment. "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

Mr. LIVERMORE said, the clause appears to express much humanity, as such, he liked it; but as it appeared to have no meaning, he did not like it: As to bail, the term is indefinite, and must be so from the nature of things; and so with respect to fines; and as to punishments, taking away life is sometimes necessary, but because it may be thought cruel, will you therefore never hang any body—the truth is, matters of this kind must be left to the discretion of those who have the administration of the laws.

This amendment was adopted.

10th Amendment. "The rights of the people to be secure in their persons, houses, papers and effects, shall not be violated without probable cause, supported by oath or affirmation, and not particularly describing the places to be searched, and the persons or things to be seized."

Mr. BENSON moved to insert after the words "and effects," these words "*against unreasonable seizures, and searches.*

This was carried.

Mr. GERRY objected to the words, "by warrants issuing"—He said the provision was good, as far as it went; but he thought it was not sufficient: He moved that it be altered to *and no warrant shall issue.* This was negatived.

The question was then put on the amendment and carried.

11th Amendment. The enumeration in this constitution of certain rights shall not be construed to deny or disparage others retained by the people."

This was agreed to without amendment.

12th Amendment. Art. I, Sec. 10, between the 1st and 2d par. insert, "No state shall infringe the equal rights of conscience, nor freedom of speech, or of the press, nor of the right of trial by jury in criminal cases."

Mr. TUCKER moved to strike out these words altogether, as they were an interference with the Constitutions of the several States: The Constitution of the United States, he said, interfered too much already.

Mr. MADISON said he hoped the clause would be retained. I think, said he, these abuses are most likely to take place under the State governments; and if they are to be restrained in any thing, this appears to me the most necessary: We shall do what will be grateful to the people by retaining the clause.

Mr. TUCKER's motion was negatived.

The words on motion of Mr. LIVERMORE were then transposed, and the amendment agreed to.

13th Amendment. Art. 3. Sec. 2, add to the 2d par. "But no appeal to such court shall be allowed, where the value in controversy shall not amount to one thousand dollars; nor shall any fact triable by jury, according to the course of common law, be otherwise re-examinable than according to the rules of common law.

Mr. BENSON moved to strike out the first part of the paragraph, respecting the limitation of appeals.

Mr. MADISON obſerved, that except ſome adequate ſubſtitute was propoſed, he thought it would be neceſſary to retain the clauſe: There is, ſaid he, perhaps no danger of any court in the United States, granting an appeal where the value in diſpute does not amount to 1000 dollars; ſtill the poſſibility of ſuch an event has excited the greateſt apprehenſions in the minds of many citizens of the United States: The idea that opulent perſons might carry a cauſe from one end of the continent to another has cauſed ſerious fears in the minds of the people: I think it beſt to retain the clauſe.

The motion was negatived.

Mr. SEDGWICK, to ſtrengthen the clauſe, moved to ſtrike out 1000 dollars, and to inſert 3000.—This motion was ſeconded and ſupported by Mr. Livermore, but was negatived, and the amendment accepted.

14th Amendment. Art. II. Sec. 3d, Strike out the whole of 3d par. and inſert: "In all criminal proſecutions the accuſed ſhall enjoy the right to a ſpeedy and public trial, to be informed of the nature and cauſe of the accuſation, to be confronted with the witneſſes againſt him, to have compulſary proceſs for obtaining witneſſes in his favour, and to have the aſſiſtance of counſel for his defence."

Several amendments to this article were propoſed, ſome of them were withdrawn and others negatived; and one only obtained, which reſpected the place of trial, which was to be in the State where the ſuppoſed crime was committed.

This amendment was then adopted.

The committee then roſe and the houſe adjourned.

TUESDAY, AUGUST 19.

Committee of the whole on the ſubject of amendments.

Mr. BOUDINOT in the chair.

The committee took up the fifteenth amendment, which is "The trial of all crimes (except in caſes of impeachment, and in caſes ariſing in the land or naval forces, or in the militia, when in actual ſervice in time of war or public danger) ſhall be by an impartial jury of freeholders of the vicinage, with the requiſite of unanimity for conviction, the right of challenge, and other accuſtomed requiſites; and no perſon ſhall be held to anſwer for a capital, or otherwiſe infamous crime, unleſs on a preſentment or indictment by a grand jury; but if a crime be committed in a place in the poſſeſſion of an enemy, or in which an inſurrection may prevail, the indictment and trial may by law be authorized in ſome other place within the ſame ſtate; and if it be committed in a place not within a ſtate, the indictment and trial may be at ſuch place or places as the law may have directed."

Mr. BURKE moved to ſtrike out "vicinage," and to inſert *county or diſtrict in which the offence has been committed.*" The gentleman enforced this motion by a variety of obſervations; and among others ſaid that it was agreeable to the practice of the ſtate he repreſented, and would give the conſtitution a more eaſy operation; that it was a matter of ſerious alarm to the good citizens of many of the States, the idea that they might be dragged from one part of the State perhaps 2 or 300 miles to the other for trial.

Mr. GERRY objected to the word "diſtrict" as too indefinite.

Mr. SEDGWICK ſaid, that he conceived that the propoſed amendment is not ſo adequate to the gentleman's object as the word "vicinage"—the latter part of the clauſe is ſufficient for the gentleman's purpoſe.

The motion was negatived.

Mr. BURKE then propoſed to add a clauſe to prevent proſecutions upon informations: This was objected to, as the object of the clauſe was to provide that high crimes, &c. ſhould be by preſentment of a grand jury; but that other things ſhould take the courſe heretofore practiſed. This motion was loſt.

And then the paragraph was adopted.

16th amendment: "In ſuits at common law, the right of trial by jury ſhall be preſerved." This amendment was adopted.

17th amendment: Immediately after art. 6, the following to be inſerted as art. 7. "The powers delegated by this Conſtitution, to the government of the United States ſhall be exerciſed as therein appropriated, ſo that the Legiſlative ſhall never exerciſe the powers veſted in the Executive or the Judicial; nor the Executive the powers veſted in the Legiſlative or Judicial; nor the Judicial the powers veſted in the Legiſlative or Executive."

Mr. SHERMAN objected to this: He ſaid it is unneceſſary.

Mr. MADISON obſerved, that its adoption will ſatisfy the people: This ſeparation of the powers is expected: It will ſerve to explain many caſes that may ariſe under the Conſtitution, and can do no harm.

Mr. LIVERMORE ſaid, that he objected to the clauſe altogether, as in its operation it is ſubverſive of the Conſtitution.

Mr. SEDGWICK, Mr. BENSON, and Mr. GERRY were in favor of this amendment, which was finally carried.

18th Amendment: "The powers not delegated by this Conſtitution, nor prohibited by it to the States, are reſerved to the States reſpectively."

Mr. TUCKER propoſed an introductory clauſe to this amendment, viz. *all power being derived from the people.*

Mr. MADISON objected to this, as confining the government within ſuch limits as to admit of no implied powers, and I believe, ſaid he, that no government ever exiſted which was not neceſſarily obliged to exerciſe powers by implication. This queſtion was agitated in the Convention of Virginia; it was brought forward by thoſe who were oppoſed to the Conſtitution, and was finally given up by them.

Mr. SHERMAN obſerved, that all corporations are ſuppoſed to poſſeſs all the powers incidental to their corporate capacity: It is not in human wiſdom to provide for every poſſible contingency.

This motion was negatived.

Mr. GERRY then propoſed to add, after the word "States," *and people thereof.*

Mr. CARROL objected to the addition, as it tended to create a diſtinction between the people and their legiſlatures.

The motion was negatived, and the amendment agreed to.

19th amendment: "Art. 7, to be made art. 8."

The committee then roſe and reported the amendments, which were laid on the table.

The committee of elections, purſuant to the inſtruction to them contained in the reſolution of the houſe of the 25th of May, relative to the petition of a number of the citizens of the State of New-Jerſey, complaining of the illegality of the election of the members of this houſe, as elected within that State, do report the following facts as ariſing from the proofs, to wit:

1. That the elections for members of this houſe held within that State, in conſequence of an act of the legiſlature thereof, entitled, "An act for carrying into effect on the part of the State of New-Jerſey the conſtitution of the United States, aſſented to, ratified and confirmed by this State, on the 18th day of December 1787," paſſed the 21ſt of November, 1788, were cloſed in the ſeveral counties of Bergen, Morris, Monmouth, Hunterdon, Somerſet, Middleſex, Suſſex. Salem, Cape May, Cumberland, Burlington and Glouceſter, and the liſts of the ſeveral perſons voted for, and the number of votes taken for each, were received by the Governor at the reſpective times, appearing from the ſaid liſts and the endorſements thereon, which liſts accompany this report.

2. That the election in the county of Eſſex the remaining county in the State, cloſed on the 17th of April, and the liſt was received by the Governor on the 30th of May.

3. That in conſequence of the ſummons from the Governor, a copy whereof accompanies this report, dated the 27th of February, to 4 of the Members of the Council, a Privy Council conſiſting of the Governor and the 4 Members ſo ſummoned, did aſſemble at Elizabeth-town, on the 3d of March, and being ſo aſſembled, Mr. Haring another member of the Council received a note from the Governor, a copy whereof accompanies this report, in conſequence whereof Mr. Haring did then alſo attend the Privy Council as a member thereof.

4. That the Governor then appointed another meeting of the Privy Council to be held on the 18th of March, at which day the Governor and 11 members of the Council did aſſemble, and did then determine from the liſt of 11 counties ſpecified in the firſt fact above ſtated, the 4 members now holding ſeats in this houſe, the four perſons elected members of this houſe within that State, againſt which determination of the Council three of the members then preſent did proteſt, and the proteſt, a copy whereof accompanies this report, was, with the conſent of the Council delivered into the Council, in form on the ſubſequent day.

5. That there was no determination of the Governor and Privy Council in the premiſes until the 18th of March.

6. That the Governor did on the 19th of March iſſue a proclamation, a copy whereof accompanies this report.

☞ *In our laſt we ſtated that Mr.* TUCKER's *propoſitions were laid on the table—this is a miſtake: He moved that they ſhould be referred to the committee of the whole Houſe. This motion was negatived by a great majority.*

WEDNESDAY, AUGUST 20.

Mr. CARROL preſented a petition from PARTRICK BENNETT, late quarter maſter in Col. MOYLAN's light dragoons—laid on the table.

Mr. HUNTINGTON preſented a petiton from the inhabitants of the port of Stonington, in behalf of the fiſhermen of that place; praying that they may not be obliged to go ſo far as New-London for permits. Laid on the table.

The amendment of the ſenate to the bill for providing for the expences of negociations and treaties with the Indians, &c. was taken into conſideration, and after ſome debate was concurred.

In committee of the whole on amendments.

Mr. SHERMAN bro't forward his motion for adding the amendments by way of ſupplement to the conſtitution; which was agreed to, by more than three fourths of the members preſent.

The firſt amendment being taken up, on the queſtion to agree to the ſame, it was negatived.

On the ſecond amendment reſpecting repreſentation: A propoſition was ſubmitted by Mr. AMES, to the following effect: That after the firſt enumeration, there ſhall be one repreſentative to every 30,000 inhabitants, till the number of members ſhall amount to one hundred; after which the number of members ſhall not increaſe till the number of inhabitants ſhall amount to four millions, after which the ratio of repreſentation ſhall be one for every 40,000, till the number amounts to 200, beyond which number it ſhall not be increaſed till the number of inhabitants amounts to ten millions, when the ratio of repreſentation ſhall be one for every fifty thouſand.

The houſe ſpent the remainder of the day in diſcuſſing a variety of amendments propoſed to this motion; and adjourned without coming to a deciſion.

THURSDAY AUGUST 20.

Mr. GOODHUE introduced the following reſolution, which was read and laid on the table; viz. That the preſident of the ſenate, and ſpeaker of the houſe of repreſentatives, do adjourn the reſpective houſes of congreſs on the day of September next to meet on the firſt monday of December next.

A meſſage was received from the Preſident of the United States, by Mr. Secretary LEAR, informing that the Preſident approved of the act, entitled, "An act for providing for the expences which may attend negociations with the Indian tribes, and the appointment of commiſſioners for managing the ſame," and had affixed his ſignature thereon.

In commitee of the whole.

The ſubject of amendments reſumed.

Mr. AMES's propoſition was taken up. Five or ſix other gentlemen brought in propoſitions on the ſame point; and the whole by mutual conſent, were laid on the table. The houſe then proceeded to the third amendment, and agreed to the ſame.

The fourth amendment, on motion of Mr. AMES, was altered, ſo as to read, "Congreſs ſhall make no law eſtabliſhing religion, or to prevent the free exerciſe thereof; or to infringe the rights of conſcience." This was adopted.

The fifth amenpment was agreed to.

Mr. SCOT objected to the clauſe in the ſixth amendment, "No perſon religiouſly ſcrupulous ſhall be compelled to bear arms." He ſaid, if this becomes part of the conſtitution, we can neither call upon ſuch perſons for ſervices nor an equivalent; it is attended with ſtill further difficulties, for you can never depend upon your militia. This will lead to the violation of another article in the conſtitution, which ſecures to the people the right of keeping arms, as in this caſe you muſt have recourſe to a ſtanding army. I conceive it is a matter of legiſlative right altogether. I know there are many ſects religiouſly ſcrupulous in this reſpect: I am not for abridging them of any indulgence by law; my deſign is to guard againſt thoſe who are of no religion. It is ſaid that religion is on the decline; if this is the caſe, it is an argument in my favour; for when the time comes that there is no religion, perſons will more generally have recourſe to theſe pretexts to get excuſed.

Mr. BOUDINOT ſaid that the proviſion in the clauſe or ſomething like it appeared to be neceſſary. What dependence can be placed in men who are conſcientious in this reſpect? Or what juſtice can there be in compelling them to bear arm, when, if they are honeſt men they would rather die than uſe them. He then adverted to ſeveral inſtances of oppreſſion in the caſe which occurred during the war. In forming a militia we ought to calculate for an effectual defence, and not compel characters of this deſcription to bear arms. I wiſh that in eſtabliſhing this government we may be careful to let every perſon know that we will not interfere with any perſon's particular religious profeſſion. If we ſtrike out this clauſe, we ſhall lead ſuch perſons to conclude that we mean to compel them to bear arms.

Mr. VINING and Mr. JACKSON ſpake upon the queſtion. The words *in perſon* were added after the word "arms," and the amendment was adopted.

The 7th, 8th, 9th, 10th, 11th, 12th, 13th and 14th amendments without any material alterations were agreed to.

Adjourned.

FRIDAY, AUGUST 21.

The order of the day, on amendments to the Conſtitution.

15th Amendment under conſideration.

Mr. GERRY moved to ſtrike out theſe words "public danger" to inſert *foreign invaſion.* This was negatived. It was then moved to ſtrike out the laſt clauſe "and if it be committed, &c." to the end. This motion obtained, and the amendment as it then ſtood adopted.

16th and 17th amendments were accepted, without alteration.

18th Amendment: In this Mr. GERRY propoſed to inſert the word *expreſsly* after the word "powers"—this being objected to the Ayes and Noes were called for on the queſtion, and are as follow:

AYES.

Meſſrs Burke, Coles, Floyd, Gerry, Grout, Hathorne, Jackſon, Livermore, Page, Parker, Partridge, Van Ranſellaer, Smith, (S. C.) Stone, Sumpter, Thatcher, Tucker. 17.

NOES.

Meſſrs Ames, Benſon, Boudinot, Brown, Cadwallader, Carrol, Clymer, Fitzſimons, Foſter, Gale, Gilman, Goodhue, Hartley, Heiſter, Laurance, Lee, Madiſon, Moore, P. Muhlenberg, Schureman, Scot, Sedgwick, Seney, Sherman, Sylveſter, Smith, (M.) Sinnickſon, Sturges, Trumbull, Vining, Wadſworth, Wynkoop. 32

Majority 14. So the queſtion was loſt.

19th Amendment: Mr. SHERMAN moved that after the words "prohibited by it to the" *government of the United* and after the words "reſerved to the," *individuals* ſhould be inſerted: This motion was acceded to, and the clauſe was then adopted.

The report of the committee being gone through, Mr BURKE introduced the following amendment, viz. Congreſs ſhall not alter, modify, or interfere in the times, places, or manner of electing Senators or Repreſentatives of the United States, except when any State ſhall refuſe, or neglect, or be unable, from actual invaſion or rebellion to make ſuch election. This brought on a debate, and the ayes and noes being called, ſtand thus:

AYES.

Meſſrs Burke, Coles, Floyd, Gerry, Griffin, Grout, Hathorne, Heiſter, Jackſon, Livermore, Matthews, Moore, Page, Parker, Partridge, Van Ranſellaer, Seney, Sylveſter, Smith, (S. C.) Stone, Sumpter, Thatcher, Tucker. 23.

NOES.

Meſſrs Ames, Benſon, Boudinot, Brown, Cadwallader, Carroll, Clymer, Fitzſimons, Foſter, Gale, Gilman, Goodhue, Hartley, Laurance, Lee, Madiſon, P. Muhlenberg, Schureman, Scot, Sedgwick, Sherman, Sinnickſon, Smith, (M.) Sturges, Trumbull, Vining, Wadſworth, Wynkoop. 28.

Majority againſt the propoſition 5.

The conſideration of the amendment, which was poſtponed yeſterday, was then reſumed.

A variety of propoſitions were read, and on the queſtions being taken were negatived.

The following in ſubſtance, introduced by Mr. SMITH, of S. C. was adopted, viz. After the firſt enumeration, there ſhall be one Repreſentative to every 30,000 inhabitants till the number ſhall amount to 100—after which the proportion ſhall be ſo regulated by Congreſs, that there ſhall be one to every 40,000, till the number amounts to 200—after which the number ſhall not be encreaſed at a leſs rate, than one for every 50,000. *Adjourned.*

GEORGETOWN, (*Patowmac*) AUGUST 12.

Laſt Monday being the yearly meeting of the Patowmac company, the members of that truly patriotic undertaking, aſſembled at Mr. JOHN SUTER'S, and atfer arranging the buſineſs for the enſuing year, they proceeded to the choice of officers, when the followiug gentlemen were elected, viz.

THOMAS JOHNSON, Eſq. in the room of his Excellency the Preſident of the United States of America.

THOMAS S. LEE,
JOHN FITZGERALD,
GEORGE GILPIN,
NOTLEY YOUNG,
} Directors.

It gives us infinite pleaſure we have it in our power to inform the public, that through the indefatigable perſeverance of the Patowmac company, proviſion has been made to carry on the work with great expedition, the enſuing year, ſo that we may flatter ourſelves with the pleaſing idea of ſoon ſeeing the produce of our Weſtern country at 300 miles back, brought by water to our own doors.

PHILADELPHIA, AUGUST 13.

In a London paper of the 10th of June, bro't by the ſhip Fair Penitent, arrived from Port-Glaſgow, there is a manifeſto from England to Denmark, intimating, "*Should the Danes aſſiſt the Ruſſians, Great Britain will look on it as a declaration of war, and will attack them immediately.*" Britain has likewiſe ordered a fleet of twenty ſail of the line into the Baltic, as a fleet of obſervation.

BOSTON, AUGUST 15.

In an Engliſh paper of the 6th June, very handſome notice is taken of the ſcene which was acted at Trenton Bridge, by the *Matrons*, and "*white robed choir*" of that town, on THE PRESIDENT'S paſſing it when on his journey from Mount Vernon to New-York. It is mentioned as a ſcene which muſt have been the *moſt intereſting* to the *feelings*—the *moſt honorary* and *delightful* that any *Hero* or *Monarch* could have witneſſed. The thought is complimented as original—the place is deſcribed as adding intereſt thereto—and the whole panegyrized in the moſt brilliant manner. [*We cannot help remarking, that a very viſible change is diſcernable in the Britiſh accounts of the* events *and* ſituation *of this country. The language of* contempt, *and which is worſe of* pity *for our ſituation, is changed to the language of* reſpect, *and even* hope *that under our new Conſtitution we may become a great and a flouriſhing nation.*]

The reſpectability of the officers appointed in the different grades of the Revenue Department, while it will ſecure an honorable collection of the revenue, muſt give great ſatisfaction to the mercantile intereſt.

Mr. JOSEPH SPEAR, and Captain SAMUEL WHEELWRIGHT, are appointed Weighers and Gaugers for this diſtrict.

The following gentlemen are appointed Inſpectors for this port—THOMAS FARRINGTAN, Eſq. Col. JOHN POPKINS, and Capt. PETER DOLLIVER.

MR. FENNO,

I never liked compositions of this kind; but circumstances sometimes give importance to trifles: This induces me to send you the following.

ACROSTIC.

A GES to ages, shall his fame extend,
D own Time's long vale, till *his* long race shall end,
A mong the names which on his scroll he bears,
M en, whom a world enlighten'd, sav'd, reveres—
S ee ADAMS with *distinguish'd* rank appears.

NEW YORK, AUGUST 22.

THE PRESIDENT of the United States will this day, at 11 o' clock, meet the Senate in their chamber of Congress; to confer with them upon the important subject of the approaching negociations and treaties with the Southern Indians; and to make the necessary previous arrangements of that business. This intention was announced to the Senate by message on Thursday last.

Extract of a letter from the Eastward, August 16.

"It is said that the vessels now on their passage from Halifax will pay 500l. for the duty on mackarel alone—75 cents per barrel counts up.

"That the mantle of national gratitude would shelter from the storms of adversity the hoary head of the PATRIOT was to be expected:—this consolation the friends of America have received in the appointment of the Hon. General LINCOLN—thanks be to the Sovereign of our country."

Perhaps in no instance has the patriotism and candor of a certain honorable Assembly appeared in a more conspicuous point of view than in conducting the business of amendments to the constitution: They have given the most indubitable proof of their desire to adapt the constitution to the wishes of their constituents, as far as possible, by substantiating those amendments for which there is the greatest apparent solicitude. Had a door been opened for the admission of discordant propositions, it is probable that the requisite unanimity would never have been obtained for the adoption of any amendments whatever.

The President of the United States has been pleased to nominate

ARTHUR ST. CLAIR, Esq. to be Governor of the Western Territory.

WINTHROP SARGENT, to be Secretary, and SAMUEL HOLDEN PARSONS, JOHN CLEVES SYMMES, and WILLIAM BARTON, to be Judges.

Also—Hon. BENJAMIN LINCOLN, Hon. CYRUS GRIFFIN, and DAVID HUMPHREYS, Esq. as Commissioners to be employed to negociate a treaty with the southern Indians.

EBENEZER TUCKER, to be Surveyor of Little Egg Harbour, in the State of New-Jersey, and

WILLIAM GIBB, to be Collector of the port of Folly Landing, in the State of Virginia.—To which nominations the Senate did advise and consent.

The late appointment of commissioners for managing negociations and treaties with the southern Indians may justly inspire the fullest confidence that this important business will be so conducted as to insure peace and security in future, to our harassed and distressed frontiers.

In Convention *of the* PROTESTANT EPISCOPAL CHURCH, *in the States of* NEW-YORK, NEW-JERSEY, PENNSYLVANIA, DELAWARE, MARYLAND, VIRGINIA, *and* SOUTH-CAROLINA, *at* Philadelphia, *7th August*, 1789.

The engrossed ADDRESS to *THE PRESIDENT* of the UNITED STATES being read, and signed by the Convention,

Ordered, That the Right Rev. Dr. PROVOOST—the Rev. Mr. SMITH—Mr. ANDREWS—Mr. JOHN COX—Mr. BRISBANE The Rev. Dr. BEACH—the Rev. Dr. MOORE—Mr. ROGERS—the Rev. Mr. OGDEN—the Rev. Mr. SPIEREN—the Rev. Mr. WADDEL—and the Hon. Mr. DUANE, with such other gentlemen as have been deputed to this *Convention*, who may be in *Newyork*, be requested to present the same to THE PRESIDENT of the UNITED STATES.

Agreeably to this order of Convention, their Committee on Wednesday last waited on the President with the following ADDRESS:

To the PRESIDENT of the UNITED STATES.

SIR,

WE the Bishops, the Clergy, and Laity of the Protestant Episcopal Church in the States of *New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia,* and *South-Carolina*, in General Convention assembled, beg leave with the highest veneration and the most animated national considerations, at the earliest moment in our power, to express our cordial joy on your election to the chief magistracy of the United States.

When we contemplate the short but eventful history of our nation—when we recollect the series of essential services performed by you in the course of the revolution, the temperate, yet efficient exertion of the mighty powers with which the nature of the contest made it necessary to invest you, and especially when we remember the voluntary and magnanimous relinquishment of those high authorities at the moment of peace, we anticipate the happiness of our country under your future administration.

But it was not alone from a successful and virtuous use of those extraordinary powers that you were called from your honorable retirement, to the first dignities of our government, an affectionate admiration of your private character, the impartiality, the persevering fortitude, and the energy with which your public duties have been invariably performed, and the paternal solicitude for the happiness of the American people, together with the wisdom and consummate knowlege of our affairs, manifested in your last military communication, have directed to your name the *universal wish*, and have produced, for the first time in the history of mankind, an example of *unanimous consent* in the appointment of the governor of a free and enlightened nation.

To these considerations, inspiring us with the most pleasing expectations, as private citizens, permit us to add, that as the representatives of a numerous and extended church, we most thankfully rejoice in the election of a civil ruler deservedly beloved, and eminently distinguished among the friends of genuine religion—who has happily united a tender regard for other churches with an inviolable attachment to his own.

With unfeigned satisfaction we congratulate you on the establishment of the new constitution of government for the United States, the mild, yet efficient operations of which, we confidently trust, will remove every remaining apprehension of those, with whose opinions it may not entirely coincide, and will confirm the hopes of its numerous friends. Nor do these expectations appear too sanguine, when the moderation, patriotism, and wisdom of the honorable members of the federal legislature are duly considered.

From a body thus eminently qualified, harmoniously co-operating with the executive authority in constitutional concert, we confidently hope for the restoration of order and our ancient virtues; the extension of genuine religion, and the consequent advancement of our respectability abroad, and of our substantial happiness at home.

We devoutly implore the Supreme Ruler of the Universe to preserve you long in health and prosperity, an animating example of all public and private virtues—the friend and guardian of a free, enlightened, and grateful people; and that you may finally receive the reward which will be given to those, whose lives have been spent in promoting the happiness of mankind.

WILLIAM WHITE,
Bishop of the Protestant Episcopal Church in the Commonwealth of Pennsylvania, and President of the Convention.

SAMUEL PROVOOST, *D. D.*
Bishop of the Protestant Episcopal Church, in the State of New-York, though prevented, by indisposition, from attending the late General Convention, he concurs sincerely in this particular act, and subscribes the present Address with the greatest satisfaction.

NEW YORK.

BENJAMIN MOORE, *D. D. Assistant Minister of Trinity Church in the city of New-York.*
ABRAHAM BEACH, *D. D. Assistant Minister of Trinity Church in the city of New-York.*
MOSES ROGERS.

NEW JERSEY.

WILLIAM FRAZIER, *Rector of St. Michael's Church, Trenton, and St. Andrew's Church, Amwell.*
UZAL OGDEN, *Rector of Trinity Church, in Newark.*
HENRY WADDELL, *Rector of the Churches of Shrewsbury and Middleton, New-Jersey.*
GEORGE H. SPIEREN, *Rector of St. Peter's Church, Perth-Amboy, New-Jersey.*
JOHN COX.
SAMUEL OGDEN.
R. STRETTELL JONES.

PENNSYLVANIA.

SAMUEL MAGAW, *D. D. Rector of St. Paul's, and Vice Provost of the University of Pennsylvania.*
ROBERT BLACKWELL, *D. D. Senior Assistant Minister of Christ Church, and St. Peter's Philadelphia.*
JOSEPH PILMORE, *Rector of the United Churches of Trinity, St. Thomas, and All Saints.*
JOSEPH G. T. BEND, *Assistant Minister of Christ Church, and St. Peter's, Philadelphia.*
FRANCIS HOPKINSON.
GERARDUS CLARKSON.
TENCH COXE.
SAMUEL POWELL.

DELAWARE.

SAMUEL COUDON, *Rector of St. Ann's.*
STEPHEN SYKES, *A. M. Rector of the United Churches of St. Peter, and St. Matthew, in Sussex county.*
JAMES SYKES.

MARYLAND.

WILLIAM SMITH, *D. D. now Provost of the College and Academy of Philadelphia; but appointed Clerical Deputy for Maryland, as Rector of Chester Parish, in Kent county.*
THOMAS JOHN CLAGGET, *Rector of St. Paul's Prince George county.*
COLIN FERGUSON, *D. D. Rector St. Paul's.*
JOHN BISSETT, *A. M. Rector of Shrewsbury Parish, Kent county.*
WILLIAM FRISBY.
RICHARD B. CARMICHAEL.

VIRGINIA.

ROBERT ANDREWS.

SOUTH-CAROLINA.

ROBERT SMITH, *Rector of St. Philip's Church, Charleston.*
W. W. BURROWS.
WILLIAM BRISBANE.

The PRESIDENT's ANSWER.

To the BISHOPS, CLERGY, *and* LAITY *of the* PROTESTANT EPISCOPAL CHURCH *in the States of* NEW-YORK, NEW-JERSEY, PENNSYLVANIA, DELAWARE, MARYLAND, VIRGINIA and S. CAROLINA, in general Convention assembled.

GENTLEMEN,

I SINCERELY thank you for your affectionate congratulations, on my election to the chief Magistracy of the United States.

After having received from my fellow-citizens in general the most liberal treatment—after having found them disposed to contemplate, in the most flattering point of view, the performance of my military services, and the manner of my retirement at the close of the war, I feel, that I have a right to console myself, in my present arduous undertakings, with a hope that they will still be inclined to put the most favorable constructions on the motives which may influence me in my future public transactions.

The satisfaction arising from the indulgent opinion entertained by the American people of my conduct, will, I trust, be some security for preventing me from doing any thing which might justly incur the forfeiture of that opinion. And the consideration that human happiness and moral duty are inseparably connected, will always continue to prompt me to promote the progress of the former, by inculcating the practice of the latter.

On this occasion it will ill become me to conceal the joy I have felt in perceiving the fraternal affection which appears to encrease every day among the friends of genuine religion. It affords edifying prospects indeed, to see christians of different denominations dwell together in more charity, and conduct themselves in respect to each other with a more christian like spirit, than ever they have done in any former age, or in any other nation.

I receive with the greater satisfaction your congratulations on the establishment of the new Constitution of Government, because, I believe, its mild, yet efficient operations, will tend to remove every remaining apprehension of those with whose opinions it may not entirely coincide, as well as to confirm the hopes of its numerous friends: And because the moderation, patriotism and wisdom of the present federal legislature, seem to promise the restoration of order and our ancient virtues; the extension of genuine Religion, and the consequent advancement of our respectability abroad, and of our substantial happiness at home.

I request, Most Reverend and respected Gentlemen, that you will accept my cordial thanks for your devout supplications to the Supreme Ruler of the Universe in behalf of me. May you, and the people whom you represent be the happy subjects of the Divine Benedictions both here and hereafter!

GEORGE WASHINGTON.

August, 19, 1789.

How great soever a bull, *the Pope* may have made, in giving some of the Monarchs of Europe the title of Most Catholic Majesty—His Faithful Majesty: a correspondent thinks that the People of America would do no more than justice to style the Chief Ruler of our Empire, "His patriotic Majesty." It would be original, and have a meaning.

Extract of a letter from a gentleman in Kingston (Jamaica) to his friend in New-York.

"By a letter I received from Mr. H. of the 2d of May, he informed me the new government had commenced, and the great WASHINGTON inaugurated PRESIDENT OF THE UNITED STATES, &c. May God bless his REGENCY, and make your dear county happy forever, is my sincere wish. I should be happy could I be one of the inhabitants of that land of Freedom."

An independent people should do every thing in their power to procure, within themselves, the raw materials necessary for their own manufactures, and encourage those manufactures in preference to all others. The business of hat-making has been carried on to great extent in this country, and hatters complain of the scarcity of wool for the purpose of making coarse hats. This is the season of the year for shearing lambs, which not only produces an immediate profit to the owner, but experience has evinced it beneficial to the next years fleece, by making it finer and thicker set. It is hoped that farmers, as friends to their country, will attend to this hint.

On Tuesday the 11th instant, departed this life, in the 33d year of his age, Major JOHN LUCAS, *and on Wednesday, his remains were interred in St. Paul's church-yard, with military honors, attended by a numerous concourse of respectable friends and citizens, together with the honorable Society of the Cincinnati, of which he was a member.*

The friends of America will join with us in paying the tribute of sorrow due to the brave and the good, when they learn, he was among the foremost who step'd forth in defence of the rights of freemen at the commencement of the late contest: Naturally of a weak constitution, the fatigues he experienced in the discharge of his duty as a faithful and worthy soldier, brought on a consumptive complaint, which at length put a period to his valuable life: It pleased kind Providence however to spare him till he saw his country free, independent and happy, which was the completion of his wishes.

Familiar with dangers, death to him was not a king of terrors; fully sensible of his approaching dissolution, he set his house in order, and resigned his breath to the God of nature, in full expectation of a glorious and blessed immortality.

LONDON, MAY 30.

A rumour is in circulation in the higher circles, that his majesty has resolved to adopt a measure which will justly entitle him to the appellation of father of his country.

Having found that the million surplus, said by Mr. Pitt to exist, was too precarious a fund to afford the nation any considerable relief from the weight of its public debt; his majesty, it is rumoured, has resolved to make his people heirs to eleven millions sterling, which he means to establish as a fund to be applied solely to the discharge of the national debt.

To make this measure complete, by rendering the fund inalienable an act of parliament is to be passed for vesting this immense sum in trustees, who are to have the sole management of it, subject only to the inquisitorial power of parliament, to see that it is properly applied. But the act is at the same to provide, that, should parliament attempt to divert a single guinea of this fund from the purpose for which it is to be established, the whole of it is to become *ipso facto* the private property of the trustees.

When he hoards only that he may be able to relieve his people, his economy becomes a mine of wealth to his people.

It is said, that the first idea of establishing such a fund, was first suggested to his majesty by a passage which he read in the life of Pope Sixtus Vth, who deposited in the castle of St. Angelo four millions of Roman crowns, pronouncing, at the same time that person accursed who should ever make use of the whole or any part of that sum, except in the greatest emergency of the Holy See.

The style of the Nabob's living is somewhat curious—He resides in a high tower, amidst all his women, who are in separate apartments below him: he can see them, and all of them can see him, but not each other. Whenever any of them strikes his particular fancy of the day, he sends down his handkerchief.

On defences, as they are called, of Mr. Hastings, but as given in evidence, were written by different gentlemen, Mr. Sheridan said very neatly "These, like raw materials, the masterworkman "distributes about him to all hands awaiting; His "words are to be strung—arguments spun—pas-"sages woven:—He puts his conscience into de-"partments—Major Scot, says he, take care of my "consistency—Mr. Middleton, you have my *me-"mory* in commission!—Prove me a financier, Mr. "Shore.—Answer for me, Mr. Holt: (all jour-"neymen, good enough for the house of com-"mons, though not for your lordships)—Help, "one and all, to bear me up under the pressure "of my laurels, the burthen of my glory!—Re-"fresh, and save me from the calentures of my "state, from the peril of my own panegyric."

JUNE 2. The defeat which the Turks have suffered from the Russians is, we find by a letter from Warsaw, still more considerable than what appeared in the Vienna Gazette. The principal circumstances of the action are the following:—"General Dorfeldt marched, on the 27th of April, to Maximiniani, where he found a considerable body of the enemy, amounting to 8000 men, on this side the river Soreth. He attacked and defeated them, leaving 400 dead on the field, and taking 107 prisoners, among whom was Jacob Pacha, who is now at Jassy. Mr. Dorfeldt remained four days at Maximiniani. On the 14th of May, he advanced to Galacz, which town he found fortified with redoubts and entrenchments; he however immediately attacked it, and after a resistance of three or four hours, carried the batteries, which made a part of the works; upon this the Turks, consisting of more than a thousand men, surrendered themselves prisoners with their Ibrahim Pacha; but before the surrender 1500 were killed in the place. The loss of the Russians was only about 60 killed, 100 wounded. General Dorfeldt had his horse killed under him, and he himself slightly wounded in the shoulder."

THE RIGHT CONSTITUTION OF A COMMONWEALTH EXAMINED.

(CONTINUATION.)

NEDHAM talks of "senate and people's feeling the burthens "of the fury of the kings:" but as we cannot accuse this writer of ignorance, this must have been either artifice or inadvertence. There is not in the whole Roman history so happy a period as this under their kings. The whole line were excellent characters, and fathers of their people, notwithstanding the continual cabals of the nobles against them. The nation was formed, their morality, their religion, the maxims of their government, were all established under these kings: The nation was defended against innumerable and warlike nations of enemies; in short, Rome was never so well governed or so happy. As soon as the monarchy was abolished, and an ambitious republic of haughty aspiring aristocratics was erected, they were seized with the ambition of conquest, and became a torment to themselves and the world. Our author confesses, that "being freed from the kingly yoke, "and having secured all power within the hands of themselves and "their posterity, they fell into the same absurdities that had been "before committed by their kings, so that this new yoke became "more intolerable than the former." It would be more conformable to the truth of history to say, that they continued to behave exactly as they had done; but having no kings to murder, they had only people to destroy. The sovereign power was in them under the kings, and their greatest animosity against their kings, next to the ambitious desire of getting into their places, was their too frequent patronage of the people. The only change made by the revolution was to take off a little awe which the name of king inspired. The office, with all its dignities, authorities, and powers, was in fact continued under the title of consul: it was made annually elective it is true, and became accordingly a mere tool of the senate, wholly destitute of any power or will to protect plebeians, a disposition which the hereditary kings always discovered more or less, and thereby became odious to the senate; for there is no sin or crime so heinous in the judgment of patricians, as for any one of their own rank to court plebeians, or become their patron, protector, or friend.

It is very true that "the new yoke was more intolerable than "the old, nor could the people find any remedy until they pro-"cured that necessary office of the tribunes." This was some remedy, but a very feeble and ineffectual one: Nor, if the people had instituted an annual assembly of 500 representatives, would that have been an effectual remedy, without a plenary executive power in the consul; the senate and assembly would have been soon at war, and the leader of the victorious army master of the state. If "the tribunes, by being vested with a temporary au-"thority by the people's election, remained the more sensible of "their condition," the American governors and senators, vested as they are with a temporary authority by the people's election, will remain sensible of their condition too. If they do not become too sensible of it, and discover that flattery, and bribery, and partiality, are better calculated to procure renovations of their authority, than honesty, liberty, and equality, happy indeed shall we all be!

"What more excellent patriot could there be than Manlius, till he "became corrupted by time and power?" Is it a clear case that Manlius was corrupted? To me he appears the best patriot in Roman history: The most humane, the most equitable; the greatest friend of liberty, and the most desirous of a constitution truly free; the real friend of the people, and the enemy of tyranny in every shape, as well as the greatest hero and warriour of his age—a much greater character than Camillus. Our author's expression implies, that "there was no greater patriot," until he saw the necessity of new modelling the constitution, and was concerting measures upon the true principles of liberty, the authority of the people, to place checks upon the senate. But Manlius is an unfortunate instance for our author. It was not time and power that inspired him with his designs; the jealousy and envy of the senate had removed him from power: he was neither consul, dictator, nor general. Aristocratical envy had set up Camillus, and continued him in power, both as consul and dictator, on purpose to rival and mortify Manlius. It was discontinuance of power then that corrupted him, if he was corrupted; and this generally happens, disappointed candidates for popular elections are as often corrupted by their fall from power, as hereditary aristocratics by their continuance in it.

"Who more noble, courteous, and well affected to the common "good than Appius Claudius at first? But afterwards, having "obtained a continuation of the government in his own hands, "he soon lost his primitive innocence and integrity, and devoted "himself to all the practices of an absolute tyrant." This is very true, but it was not barely continuation of power, it was absolute power, that did the mischief. If the power had been properly limited in degree, it might have been continued, without limitation of time, without corrupting him: though it might be better to limit it, both in degree and in time; and it must never be forgotten that it was the people, not the senate, that continued him in power.

The senate acted an arbitrary and reprehensible part, when they thought to continue Lucius Quintius in the consulship longer than the time limited by law: by violating the law they became tyrants, and their acts was void. That gallant man acted only the part of a good citizen in refusing to set a precedent so prejudicial to the Roman constitution; his magnanimity merits praise: but perhaps he was the only senator who would have refused, and we cannot safely reckon upon such self-denial in forming any constitution of government. But it may be depended on, that when the whole power is in one assembly, whether of patricians or plebeians, or any mixture of both, a favourite will be continued in power whenever the majority wishes it, and every conceivable fundamental law, or even oath, against it will be dispensed with.

From the MASSACHUSETTS MAGAZINE.

GENTLEMEN,

The depth of philological knowledge, justness of sentiment, and purity of style, which are the characteristics of Mr. WEBSTER'S *Dissertations on the English Languge*, must recommend them to the attention of every American. Perhaps no part of them is deserving more estimation, than those spirited pages, where he has attacked the proud demi Gods of British Literature, and humbled these Deities of History, in the dust of Criticism. As a specimen of his superior abilities, nice discernment, and correct taste, please to insert the following. Your &c. Z. M.

WEBSTER'S CRITICISMS UPON *GIBBON'S* HISTORY.

IN no particular is the false taste of the English more obvious, than in the promiscuous encomiums they have bestowed on Gibbon, as a historian. His work is not properly a "*History* of the decline and fall of the Roman empire;" but a "poetical historical description of certain persons and events, embellished with suitable imagery and episodes, designed to show the author's talent in selecting words, as well as to delight the ears of his readers." In short, his history should be entitled, "A display of words;" except some chapters which are excellent commentaries on the history of the Roman empire.

The general fault of this author is, he takes more pains to form his sentences, than to collect, arrange and express the facts in an easy and perspicuous manner. In consequence of attending to ornament, he seems to forget that he is writing for the *information* of his reader, and when he ought to *instruct* the *mind*, he is only *pleasing* the *ear*. Fully possessed of his subject, he describes things and events in general terms or figurative language, which leave upon the mind a faint evanescent impression of some indeterminate idea; so that the reader, not obtaining a clear precise knowlege of the facts, finds it difficult to understand, and impossible to recollect the author's meaning. Let a man read his volumes with the most laborious attention, and he will find at the close that he can give very little account of the "Roman Empire;" but he will remember perfectly that Gibbon is a most elegant writer.

History is capable of very little embellishment; *tropes* and *figures* are the proper instruments of *eloquence* and *declamation*; *facts* only are the subjects of *history*. Reflections of the author are admitted; but these should not be frequent; for the reader claims a right to his own opinions. The justness of the historian's remarks may be called in question—facts only are incontestible. The plain narrative of the scripture historians, and of Herodotus, with their dialogues and digressions, is as far superior, considered as pure history, to the affected glaring brilliancy of style and manner, which runs through Gibbon's writings, as truth is to fiction; or the vermillion blush of nature and innocence, to the artificial daubings of fashion. The first never fails to affect the heart—the last can only dazzle the senses. Another fault in Gibbon's manner of writing, is, the use of *epithets* or *titles* instead of *names*. "The Cæsar, the conqueror of the east, the protector of the church, the country of the Cæsars, the son of Leda," and innumerable similar appellations are employed, instead of the real names of the persons and places; and frequently at such a distance from any mention of the name, that the reader is obliged to turn over a leaf and look for an explanation. Many of the epithets are new; custom has not made us familiar with them; they have never been substituted, by common consent, for the true names; the reader is therefore surprised with unexpected appellations, and constantly interrupted to find the persons or things to which they belong.

I am not about to write a lengthy criticism on this author's history; a few passages only will be selected as proofs of what I have advanced. "Decline and Fall of the Roman Empire," vol. 3, oct. chap. 17: In explaining the motives of the Emperors for removing the seat of government from Rome to the East, the author says,—*Rome* was insensibly confounded with the dependent kingdoms which had once acknowledged her supremacy; and *the country of the Cæsars* was viewed with cold indifference by a martial prince, born in the neighbourhood of the Danube, educated in the courts and armies of Asia, and invested with *the purple* by the legions of Britain." By our author's begining one part of the sentence with *Rome*, and the other with *the country of the Cæsars*, the reader is led to think two different places are intended, for he has not a suspicion of a tautology; or at least he supposes the author uses *the country of the Cæsars* in a more extensive sense than *Rome*. He therefore looks back and reads perhaps half a page with closer attention, and finds that the writer is speaking of the *seat of empire*, and therefore can mean the *city of Rome* only. After this trouble he is displeased that the author has employed *five words* to swell and adorn his period. This however is not the only difficulty in understanding the author. Who is the *martial prince?* In the preceding sentence, Diocletian is mentioned as withdrawing from Rome; and in the sentence following, Constantine is said to visit Rome but seldom. The reader then is left to collect the author's meaning, by the circumstances of the birth, education and election of this martial prince. If he is possessed of these facts already, he may go on without much trouble.

The author's affectation of using *the purple* for the crown of imperial dignity, is so obvious by numberless repetitions of the word, as to be perfectly ridiculous.

"In the choice of an advantageous situation, he preferred the confines of Europe and Asia; to curb, *with a powerful arm*, the barbarians who dwelt between the Danube and Tanais; to watch, *with an eye of jealousy*, the conduct of the Persian monarch." Here the members of the sentence in Italic, are altogether superfluous; the author wanted to inform his reader, that Diocletian designed to curb the barbarians and watch the Persian monarch; for which purpose he chose a favorable situation; but it was wholly immaterial to the subject to relate in what manner or degree, the Emperor meant to exert his arm or his jealousy. Nay, more, these are circumstances which are not reduceable to any certainty, and of which the writer and the reader can have no precise idea.

"With these views, Diocletian had selected and embellished the *residence of Nicomedian*."—Is Nicomedian a princess, whose residence the Emperor selected and embellished? This is the most obvious meaning of the sentence. But Nicomedian we learn from other passages, was a city, the *residence* itself of the Emperor. Yet the author could not tell us this in a few plain words, without spoiling the harmony of the phrase; he chose therefore to leave it obscure and ungrammatical.

"—But the memory of Diocletian was justly abhorred by the *protector of the church*; and *Constantine* was not insensible to the ambition of founding a city, which might perpetuate the glory of his own name." Who is the *protector of the Church?* By Constantine's being mentioned immediately after, one would think he cannot be the person intended; yet on examination, this is found to be the case. But why this separate appellation? It seems the author meant by it to convey this idea; That Diocletian was a persecutor of the church, therefore his memory was abhored by Constantine who was its protector; the *cause* of *Constantine's abhorrence* is implied, and meant to be unfolded to the reader in a single epithet. Is this history? I must have the liberty to think that such *terseness* of stile, notwithstanding the authorities of Tacitus and Gibbon is a gross corruption and a capital fault.

PROGRESS OF MANUFACTURES.

PROVIDENCE, AUGUST 1789.

A correspondent observes, that there never was such a spirit of industry, and zeal to promote manufactures, in this town and its vicinity, as at present prevail. Almost every family seems more or less engaged in this way. There are now also at work a carding machine, with a three feet cylinder, two spinning Jennies of 60 spindles each, and one of 38 spindles, and a mill after Arkwright's construction, which carries 32 spindles by water; from which machines, as well as from large quantities spun by hand, corduroys, jeans, fustians, denims, &. &c. are making.—There are several other jennies erecting for the cotton, as well as carding and other machines for the wool manufactory, among which the wool picker and flying shuttle are improvements every raiser of sheep and manufacturing family should possess. They are attended with little expence, and greatly facilitate labour. As sheep are the most profitable stock that can be raised, and on their increase depends the increase of our woolen manufactory, every farmer who can raise sheep will shew his love to his country, as well as promote his own interest, by increasing his flock. By this attention, as also an increased care in the raisers of cotton in the southern states to have it picked clean from the pod, kept free from dirt of every kind, properly separated, that which is fully ripe from that which is not, and having it cleaned in jennies that will not mash but separate the seed, we may rest assured that there will be no occasion for sending money out of the country for purchasing clothing. This care, adds our correspondent, must be highly interesting to the southern states, in order to give their cotton its proper value, as for want of this care it is lessened at least 50 per cent. a great discouragement to fall on the raisers, when by proper care they might in time rival the West-India planters in the production of that valuable article, as its quality, when in perfection, needs not to be doubted.

NATIONAL MONITOR.——No. XVI.

"O HAPPY, IF THEY KNEW THEIR HAPPY STATE."

LIKE mariners escap'd from shipwreck, we stand astonished at the dangers that awaited us: When we contemplate our situation and prospects under the auspices of the new Constitution, "we smile at the tempest, and enjoy the storm." Having piloted the ship into a secure harbour, what remains, but that we enjoy the fruits of our labor, and make the best improvement of the favours we have received from Heaven? Enjoying a country which abounds with all that nature can bestow for convenience, enjoyment, and delight—blessed with that first of all earthly blessings, a government of our own chusing, and which every day appreciates in our esteem—and having the administration of it committed to the first and best of our tried patriots and statesmen, what can we want to crown our felicity, but the accordance of our own wills.

Happiness is evidently within our grasp: It invites and allures us to its embraces, by every attraction, which wisdom can suggest, or sound policy would desire: She says to America, be wise, and know, and do the things which belong to your present and future peace: But her favours, tho attainable, are the result of exertion. No acquisitions are without a price: Happiness for our country is offered upon the most moderate terms; but terms are annexed—THEY ARE PATRIOTISM, OBEDIENCE AND SUPPORT TO THE LAWS, AND DILIGENCE AND ACTIVITY IN OUR RESPECTIVE CALLINGS—*These will tranquilize the public mind—give energy, permanency and dignity to the government, and ensure felicity to individuals, families, communities, and States:* And can we decline the purchase as a people? *HEAVEN FORBID!*

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